

Lampson  
Millender-  
McDonald

Rohrabacher  
Schmidt  
Walsh (NY)

Wicker

Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
LaTourette  
Lee

Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lynch  
Mahoney (FL)  
Maloney (NY)  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McDermott  
McGovern  
McIntyre  
McNerney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murtha  
Nadler  
Napolitano

Neal (MA)  
Oberstar  
Obey  
Olver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Payne  
Pence  
Perlmutter  
Platts  
Pomeroy  
Porter  
Price (NC)  
Rahall  
Rangel  
Renzi  
Reyes  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Saxton  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shays  
Shea-Porter  
Sherman

Shuler  
Sires  
Skelton  
Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Solis  
Space  
Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Tauscher  
Thompson (CA)  
Thompson (MS)  
Tierney  
Townes  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Wilson (OH)  
Wolf  
Woolsey  
Wu  
Wynn  
Yarmuth

Tancredo  
Taylor  
Terry  
Thornberry  
Tiahrt  
Tiberi

Turner  
Walberg  
Walden (OR)  
Wamp  
Weldon (FL)  
Weller

Westmoreland  
Whitfield  
Wilson (NM)  
Wilson (SC)  
Young (AK)  
Young (FL)

□ 1434

Messrs. BRADY of Pennsylvania, SPRATT, ALLEN, HALL of New York, HILL, BACA, SCOTT of Virginia, KAGEN, BLUMENAUER, CLYBURN, VAN HOLLEN, KLEIN of Florida, Ms. GIFFORDS, Ms. LORETTA SANCHEZ of California, Ms. MCCOLLUM of Minnesota, and Ms. ESHOO changed their vote from “yea” to “nay.”

Messrs. DAVIS of Kentucky, HASTERT, CAMP of Michigan, HERGER, SHAYS, YOUNG of Alaska, Mrs. MYRICK and Mrs. BLACKBURN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. SCHMIDT. Mr. Speaker, on H.R. 1905, motion to recommit, I was unavoidably detained due to official business. I would have voted “yea.”

The SPEAKER pro tempore (Mr. ROSS). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. PRICE of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 177, answered “present” 1, not voting 14, as follows:

[Roll No. 231]

AYES—241

Abercrombie	Conyers	Gillibrand
Ackerman	Cooper	Gonzalez
Allen	Costa	Gordon
Altmire	Costello	Green, Al
Andrews	Courtney	Green, Gene
Arcuri	Cramer	Grijalva
Baca	Crowley	Gutierrez
Baird	Cuellar	Hall (NY)
Baldwin	Cummings	Hare
Barrow	Davis (AL)	Harman
Bean	Davis (CA)	Hastings (FL)
Becerra	Davis (IL)	Herseth Sandlin
Berkley	Davis, Lincoln	Hill
Berry	Davis, Tom	Hinchey
Bishop (GA)	DeFazio	Hinojosa
Bishop (NY)	DeGette	Hirono
Blumenauer	Delahunt	Hodes
Boswell	DeLauro	Holt
Boucher	Dent	Honda
Boyd (FL)	Dicks	Hooley
Brady (PA)	Dingell	Hoyer
Braley (IA)	Doggett	Inslee
Brown, Corrine	Donnelly	Issa
Burton (IN)	Doyle	Jackson (IL)
Butterfield	Edwards	Jackson-Lee
Cannon	Ellison	(TX)
Capps	Ellsworth	Jefferson
Capuano	Emanuel	Johnson (GA)
Cardoza	Emerson	Johnson, E. B.
Carnahan	Engel	Jones (OH)
Carson	English (PA)	Kagen
Castle	Eshoo	Kaptur
Castor	Etheridge	Kennedy
Chandler	Farr	Kildee
Clarke	Ferguson	Kilpatrick
Clay	Filner	Kind
Cleaver	Frank (MA)	Klein (FL)
Clyburn	Giffords	Kucinich
Cohen	Gilchrest	LaHood

Aderholt  
Akin  
Alexander  
Bachmann  
Bachus  
Baker  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggart  
Bilbray  
Bilirakis  
Blackburn  
Blunt  
Bonner  
Bono  
Boozman  
Boren  
Boustany  
Boyda (KS)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Capito  
Carney  
Carter  
Chabot  
Coble  
Cole (OK)  
Conaway  
Crenshaw  
Culberson  
Davis (KY)  
Davis, David  
Deal (GA)  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Drake  
Dreier  
Duncan  
Ehlers  
Everett  
Fallin  
Feeney  
Flake  
Forbes

#### NOES—177

Fortenberry  
Fossella  
Foxo  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gillmor  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastert  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Hobson  
Hoekstra  
Holden  
Hulshof  
Hunter  
Inglis (SC)  
Jindal  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Jordan  
Kanjorski  
Keller  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline (MN)  
Knollenberg  
Kuhl (NY)  
Lamborn  
Latham  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant

McCarthy (CA)  
McCauley (TX)  
McCotter  
McCrery  
McHenry  
McHugh  
McKeon  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy, Tim  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Paul  
Pearce  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Poe  
Price (GA)  
Pryce (OH)  
Putnam  
Radanovich  
Ramstad  
Regula  
Rehberg  
Reichert  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Royce  
Sali  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (TX)  
Souder  
Stearns  
Sullivan

ANSWERED “PRESENT”—1

Bishop (UT)

NOT VOTING—14

Berman	Fattah	Millender-
Boehner	Higgins	McDonald
Cantor	Israel	Peterson (MN)
Cubin	Lampson	Rohrabacher
Davis, Jo Ann		Walsh (NY)
		Wicker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1442

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FATTAH. Mr. Speaker, had I been present for the vote on H.R. 1905. I would have voted “aye.”

#### PARLIAMENTARY INQUIRIES

Mr. PRICE of Georgia. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. PRICE of Georgia. Mr. Speaker, isn't it true that the result of waiving a rule of the House for a specific bill means that rule does not apply for that bill?

The SPEAKER pro tempore. Would the gentleman repeat his parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Speaker, isn't it true that waiving a particular rule of the House for a specific bill means that rule does not apply for that bill?

The SPEAKER pro tempore. A rule may be waived in favor of a particular bill.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Isn't it true, Mr. Speaker, that H. Res. 317, the rule for H.R. 1905, the bill we just considered, waived clause 10 of rule XXI?

The SPEAKER pro tempore. With regard to H.R. 1905, H. Res. 317 did waive clause 10 of rule XXI.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Isn't it further true, Mr. Speaker, that clause 10 of rule XXI requires the PAYGO provision to be in effect?

□ 1445

The SPEAKER pro tempore. Clause 10 of rule XXI is informally referred to as pay-as-you-go.

Mr. PRICE of Georgia. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Isn't it true then, Mr. Speaker, that the PAYGO rule adopted by this House was waived for the bill that we just considered, H.R. 1905?

The SPEAKER pro tempore. Clause 10 of rule XXI was waived with regard to that bill.

Mr. PRICE of Georgia. Further inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. So the rule of this House that relates to PAYGO was waived for H.R. 1905.

The SPEAKER pro tempore. Clause 10 of rule XXI was waived with regard to H.R. 1905.

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, am I not correct that by adoption of the rule, we ensured that 1905 will not pass through the door to the Senate without PAYGO being attached to it?

The SPEAKER pro tempore. The Chair will read section 3(a) of the rule. "If either H.R. 1905 or H.R. 1906 fails of passage or fails to reach the question of passage by an order of recommittal, then both such bills, together with H.R. 1433, shall be laid on the table."

Mr. HOYER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland may state his parliamentary inquiry.

Mr. HOYER. Am I correct that the interpretation of that language means that if the D.C. enfranchisement bill does not have PAYGO added to it, it will not pass this House?

The SPEAKER pro tempore. If either bill fails of passage, then both bills are laid on the table.

Mr. HOYER. I thank the Speaker for the clarification.

#### ESTIMATED TAX PAYMENT SAFE HARBOR ADJUSTMENT

Mr. LEWIS of Georgia. Mr. Speaker, pursuant to House Resolution 317, I call up the bill, (H.R. 1906) to amend the Internal Revenue Code of 1986 to adjust the estimated tax payment safe harbor based on income for the preceding year in the case of individuals with adjusted gross income greater than \$5 million, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1906

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ADJUSTMENT OF ESTIMATED TAX PAYMENT SAFE HARBOR FOR INDIVIDUAL TAXPAYERS WITH ADJUSTED GROSS INCOME GREATER THAN \$5 MILLION.

(a) IN GENERAL.—Subparagraph (C) of section 6654(d)(1) of the Internal Revenue Code of 1986 (relating to limitation on use of preceding year's tax) is amended by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively, and by inserting after clause (i) the following new clause:

"(ii) INDIVIDUAL ADJUSTED GROSS INCOME GREATER THAN \$5,000,000.—If the adjusted gross income shown on the return of the individual for such preceding taxable year exceeds \$5,000,000, clause (i) shall be applied by substituting '110.1' for '110' in the last row of the table therein."

(b) SEPARATE RETURNS.—Clause (iii) of section 6654(d)(1)(C) of such Code, as redesignated by subsection (a), is amended by inserting "and clause (ii) shall be applied by substituting '\$2,500,000' for '\$5,000,000'" before the period at the end.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 317, the gentleman from Georgia (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. ENGLISH) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H.R. 1906. No one, but no one will pay more taxes under the bill. It merely ensures that multimillionaires don't add to our tax gap.

The bill changes in a very minor way estimated tax payments made by wealthy individuals with incomes of more than \$5 million a year. It makes a technical timing change to tax payments made by these individuals. They do not pay more taxes. H.R. 1906 is critical to the pay-as-you-go pledge of this Congress.

I am pleased to have supported H.R. 1905, the District of Columbia House Voting Rights Act of 2007. For 207 years, Washington, D.C. residents have paid Federal taxes, and for 207 years they have had not a voting representative in the United States Congress.

The right to vote is precious. It is sacred. It is the cornerstone of our democracy.

Americans sacrificed everything for this right. They were harassed, beaten, jailed and even killed for the right to vote.

Not so long ago, many of my friends, many of my colleagues lost their lives. There are many more faceless, nameless heroes who suffered and sacrificed for this basic right.

How can we preach this principle around the world and not practice it here in our Nation's Capital? It is the foundation of our democracy.

So I urge all of my colleagues to support H.R. 1906.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House is considering legislation that, in my view, represents the first brick in a Chinese wall of tax increases.

Generating revenue by assuming that Americans with more than \$5 million in income will increase their annual withholding by one-tenth of 1 percent simply makes a mockery of PAYGO.

The majority is exploiting a statistical quirk in the way that the Joint Tax Committee does its revenue estimates, and will have accountants, not normally known for their high spirits and good humor, roaring with laughter all over the country.

Perhaps, in the aggregate, there are enough people in America making more than \$5 million who will pay an extra \$2,000 in estimated taxes to raise revenues as much as anticipated, but this seems more likely to be an instance where the Joint Tax Committee's scoring rules and common sense have dramatically parted ways.

If the Judiciary Committee thinks the companion bill to create a new Member from Utah and add voting rights to a Member from the District of Columbia is such a good idea, surely they could have found some program within their jurisdiction to trim by an offsetting amount. And they didn't find a user fee in their jurisdiction to increase by just a few dollars.

In fact, despite the fact the Democratic majority created a budget that includes more than \$2 trillion in spending, they could not even trim \$3 million from that total to pay for this rather modest initiative. To put this in perspective, the majority could have offset this bill by reducing entitlement spending by just two ten-thousandths of a percent.

By not going down that route, this bill confirms what we have all suspected: the Tax Code is going to be the ATM machine that pays for all of the new majority's fondest initiatives. The bill today may be cheap in total dollar terms, but we will not be so lucky the next time around.

In fact, Mr. Speaker, in my view, H.R. 1906 represents what will be the first of a series of bizarre revenue raisers, Rube Goldberg devices, and tax gimmicks to be trotted out to pay, first for small things, and then pay for the demands of the majority's budget, which includes the largest tax increase in American history, nearly \$4 billion over 5 years.

It also demonstrates that the majority's PAYGO promise that new entitlement spending could be offset with entitlement spending cuts is hollow and cynical. If they can't even find \$3 million of entitlement savings for this bill, can we expect them to pay for their new programs with anything other than a significant tax increase ultimately on the middle class?

This makes even traditional budget gimmicks, like putting routine spending into an emergency spending bill, or bypassing the budget resolution by using "advanced appropriations" look pristine by comparison.